

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
)	
Jovon Broadcasting Corp.)	
)	
v.)	
)	
RCN Corp.)	CSR 6116-M
)	
Application for Review)	

MEMORANDUM OPINION AND ORDER

Adopted: June 25, 2003

Released: June 27, 2003

By the Commission:

1. The Commission has before it an Application for Review and Motion for Stay filed by RCN Communications Corporation in the matter of *Jovon Broadcasting Corp. v. RCN Corp.*, DA 03-1286 (MB rel. Apr. 28, 2003), a decision taken under delegated authority by the Media Bureau in the above-captioned proceeding.

2. We have analyzed the Application for Review and find that the Commission staff properly decided the matters raised. Therefore, we uphold the staff decision for the reasons stated therein. Consistent with this conclusion, the Motion for Stay is also denied.

3. Accordingly, **IT IS ORDERED**, pursuant to Sections 4(i) and 5(c)(5) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(j), 155(c)(5) and Section 1.115(g) of the Commission's Rules, 47 C.F.R. § 1.115g, that the Application for Review and Motion for Stay filed by RCN Corporation on May 28, 2003 **ARE DENIED**.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary